

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

<b>IN RE PHARMACEUTICAL INDUSTRY</b>	)	
<b>AVERAGE WHOLESALE PRICE</b>	)	
<b>LITIGATION</b>	)	<b>MDL NO. 1456</b>
	)	
	)	<b>ACTION: 01-CV-12257-PBS</b>
	)	
<b>THIS DOCUMENT RELATES TO:</b>	)	<b>JUDGE PATTI B. SARIS</b>
	)	
<b>MASTER CONSOLIDATED</b>	)	
<b>CLASS ACTION</b>	)	

**[PROPOSED] ORDER**

Upon consideration of the Motion to Dismiss of Boehringer Ingelheim Corporation, Ben Venue Laboratories, Inc., and Bedford Laboratories and Memorandum in Support, and for good cause showing, it is hereby ORDERED that claims related to Atrovent, and claims against Boehringer Ingelheim Corporation, Ben Venue Laboratories, and Bedford Laboratories be dismissed with prejudice from Plaintiffs' Amended Master Consolidated Class Action Complaint.

Entered this \_\_\_\_ day of \_\_\_\_, 2004.

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Judge Patti B. Saris  
U. S. DISTRICT COURT FOR THE  
DISTRICT OF MASSACHUSETTS